

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

BERRY CONTRACTING LP; dba BAY,  
LTD.,

Plaintiff,

VS.

M/V ARIES SWAN,

Defendant.


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CIVIL ACTION NO. C-08-312

**ORDER**

On March 18, 2009, the Court held a telephone conference in the above-styled action and ordered as follows: Surface Production Systems, Inc.'s Opposed Motion to Dismiss With prejudice (D.E. 45) is hereby DENIED.

SIGNED and ORDERED this 19th day of March, 2009.

  
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Janis Graham Jack  
United States District Judge